



PATENT  
ATTORNEY DOCKET NO.: 040894-7414

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Nobuyuki YAMADA, et al.	)	
	)	
U.S. Application No.: 10/569,794	)	Group Art Unit: Unassigned
	)	
International Appln. Filing Date: August 25, 2004	)	
	)	
Date of National Stage Entry: February 27, 2006	)	Examiner: Unassigned
	)	
For: <b>PHOTOELECTRIC CONVERSION</b>	)	
<b>DEVICE</b>	)	
	)	

Commissioner of Patents  
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**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**  
**UNDER 35 U.S.C. § 371 IN THE U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. This replies to the Notification of Missing Requirements (Form PCT/DO/EO/905) mailed August 25, 2006.

A copy of the Notification of Missing Requirements (Form PTC/DO/EO/905) is enclosed.

2. Declaration Or Oath

- ☒ No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney.
- ☐ The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.
- ☐ The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

## 3. English Translation of Non-English Language Papers

☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

☐ Also enclosed is the Verification of Translation Document

## 4. Small Entity Statement(s)

☐ Applicant(s) hereby assert small entity status.

## 5. Fee Calculation

Basic National Stage Fee:				
\$300.00				<i>Paid Feb. 27, 2006</i>
	Number Filed	Number Extra	at a Rate of	
Total Claims	15-20 =	0	\$50.00 each=	+\$0.00
Independent Claims	4- 3 =	1	\$200.00 each=	<i>Paid Feb. 27, 2006</i>
Multiple dependent claim(s), if any			\$360.00	<i>Paid Feb. 27, 2006</i>
Missing Requirements Surcharge Fee			\$130.00	\$130.00
Application Size Fee \$250.00 for each additional 50 sheets that exceeds 100				\$
Application Search Fee			\$500/\$400/\$100	<i>Paid Feb. 27, 2006</i>
Examination Fee			\$200.00	<i>Paid Feb. 27, 2006</i>
SUB-TOTAL =				\$ 130.00
Fee For Application Filed With A Non-English Specification (37 C.F.R. § 1.17(k) and § 1.52(d))			\$130.00	+\$
Fee For Processing and retention of application (37 C.F.R. § 1.21(l) and § 1.53(d))			\$130.00	+\$
TOTAL FILING FEE =				\$130.00

## 6. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. §§ 1.17(a)-(d), for the total number of months checked below:

	<u>Total Months Requested</u>	<u>Extension Fee</u>	<u>Extension Fee [Small Entity]</u>
<input type="checkbox"/>	One month	\$120.00	\$60.00
<input type="checkbox"/>	Two months	\$450.00	\$225.00
<input type="checkbox"/>	Three months	\$1,020.00	\$510.00
<input type="checkbox"/>	Four months	\$1,590.00	\$795.00
<input type="checkbox"/>	Five months	\$2,160.00	\$1,080.00

Extension of time fee due with this request: \$0.00

If an additional extension of time is required, please consider this a Petition therefor.

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

## 7. Fee Payment

The total fee due is:

Completion Fees	<u>\$130.00</u>
Assignment Fees	<u>\$ 40.00</u>
Total Fee Due	<u>\$170.00</u>

- ☒ The Commissioner is hereby authorized to charge the total fee due to Deposit Account 50-0310.

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- ☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

8. Additional papers enclosed.

- ☐ Form PCT/IPEA/409 (English Translation)  
☐ Preliminary Amendment  
☐ PCT/IB/338 English translation of the International preliminary Examination Report  
☐ Information Disclosure Statement  
☐ Form PTO-1449, documents as listed  
☐ Declaration of Biological Deposit  
☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**



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Robert J. Goodell, Reg. No. 41,040

Date: September 22, 2006

**Customer No. 09629**

**MORGAN, LEWIS & BOCKIUS LLP**

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Washington, D.C. 20004

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Facsimile: (202) 739-3001



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/569,794	FIRST NAMED APPLICANT Nobuyuki Yamada	ATTY. DOCKET NO. 040894-7414
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09629  
MORGAN LEWIS & BOCKIUS LLP  
1111 PENNSYLVANIA AVENUE NW  
WASHINGTON, DC 20004

INTERNATIONAL APPLICATION NO. PCT/JP04/12593	
I.A. FILING DATE 08/25/2004	PRIORITY DATE 08/29/2003

CONFIRMATION NO. 6628

371 FORMALITIES LETTER

\*OC00000020179912\*

Date Mailed: 08/25/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/27/2006
- Copy of the International Search Report filed on 02/27/2006
- Information Disclosure Statements filed on 02/27/2006
- U.S. Basic National Fees filed on 02/27/2006
- Priority Documents filed on 02/27/2006
- Specification filed on 02/27/2006
- Claims filed on 02/27/2006
- Abstracts filed on 02/27/2006
- Drawings filed on 02/27/2006

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Docketed 8-30-06 Attorney RJB/ADT  
Case 40894-7414  
Due Date 10-25-06  
Action resp-missing req  
By CM Chk CM

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

## RECEIVED

## AUG 30 2006

MORGAN, LEWIS & BOCKIUS LLP

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/569,794	PCT/JP04/12593	040894-7414

FORM PCT/DO/EO/905 (371 Formalities Notice)

**COPY**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Nobuyuki YAMADA, et al.

Application No.: 10/569,794

Examiner: Unassigned

Filed: February 27, 2006

Group Art Unit: Unassigned

For: **PHOTOELECTRIC CONVERSION  
DEVICE**

Commissioner for Patents  
**MAIL STOP PCT**

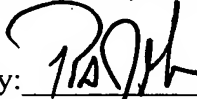
**SUBMISSION OF REPLACEMENT DRAWINGS**

Filed herewith are five (5) replacement sheets of drawings containing Figures 1 through 6. These replacement sheets of drawings are submitted to improve the form of the drawings. It is requested that these drawings be approved and made part of the official record in the above-identified patent application.

If there are any fees due in connection with the filing of these drawings, please charge the fees to our Deposit Account No. 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By: 

Robert J. Goodell  
Reg. No. 41,040

Dated: September 22, 2006

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